

**CITY OF BELMONT
MEMORANDUM**



DATE: June 20, 2006

TO: Planning Commission

FROM: Carlos de Melo, Community Development Director

SUBJECT: May 16, 2006 Planning Commission Meeting – Agenda Item 6C
Application No. 2006-0011, 2852 San Juan Boulevard
Single Family Design Review

SUMMARY

The applicant requests Single Family Design Review approval to construct a 1,837 square foot addition to an existing 1,094 square foot single family residence, resulting in a total of 2,931 square feet that is below the zoning district permitted 3,500 square feet for this site.

At the May 16, 2006 meeting, the Planning Commission voted five to zero to continue the application to a date uncertain to give the applicant time to revise plans to address the concerns listed below (see Attachment IV, 5-16-06 Planning Commission Minutes).

RECOMMENDATION

Staff recommends that the Planning Commission approve the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution*.

BACKGROUND

At the May 16th meeting, the Planning Commission directed staff to work with the applicant to make plan revisions to address the following site-specific concerns:

- Hardscape reduction – reconfigure the garage entrance and realign the driveway to allow a straight in approach; use permeable surfaces for walkways and patios.
- Residential Design - simplify craftsman style by reducing the amount of stone elements and wrought iron use on the upper story, and site improvements.
- Reduce chimney height to less than 28 feet.

* Please note: This recommendation is made in advance of further public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

Revised project plans (see Attachment VI, Plan Set received 6-12-06) addressing the above issues were subsequently submitted for the dwelling and are summarized in the Discussion section below. A complete staff report was prepared for the 5-16-06 Planning Commission public hearing (see Attachment IV). All facts and information contained in that report remain the same with the exception of the Project Analysis and Single Family Design Review Evaluation sections that have been modified to incorporate the project revisions and are included in this memo.

DISCUSSION

Hardscape: The floor layout and location of the garage remain the same as the previous plans reviewed by the Planning Commission on May 16th, with the exception of the garage entrance which has been changed to face the street to allow a straight-in driveway approach. The overall square footage of the driveway surface area was reduced from 838 square feet to 425 square feet. The driveway would be kept to the required minimum width to park two cars, 17 feet, and would be surfaced with pavers rather than concrete.

The front yard area vacated by the previously proposed alignment of the driveway would be planted as a lawn with a pre-cut flagstone walkway to the front entrance of the house.

Additional site improvement revisions include the use of flagstone with groundcover for the walkway and patio on the right side yard and flagstone with gravel lined by a row of shrubs for the walkway on the left side yard. Ten flats of Pratia, a groundcover, were added to the Landscape Plan for these areas.

The site improvement revisions result in a total hardscape reduction from the previously proposed site plan; from 3,935 square feet (49% of lot) to 2,602 square feet (33% of lot). It should be noted that the revised plans result in an overall reduction in the existing hardscape from 35% to 33%.

Protected Tree Issue: The relocated driveway is now within four feet of the trunk of protected Redwood Tree #2 in the right front yard (existing driveway pad is eleven feet from the trunk) and is in conflict with the recommendations for tree protection as specified by the City Arborist in the report dated April 8, 2006 (see Attachment V). The City Arborist has reviewed the proposed site changes and has submitted new recommendations regarding Redwood Tree #2 that require maintaining tree protection measures to within one foot of the trunk during construction and payment of a fee in the event that construction activities result in decline in health of this tree (see Attachment V, 6-9-06 email update). Staff has revised the proposed Conditions of Approval to concur with the Arborist recommendations.

Design: The elevations of the house were revised to eliminate the stone façade on the second story and chimney, resulting in a more appropriate balance for the craftsman style of the house. Additionally, the low stone/wrought iron wall in the front yard was removed to simplify the residential aspects of the dwelling and maintain compatibility with the neighborhood. The applicant will present a materials sample board at the Planning Commission meeting.

Chimney height: The proposed chimney has been changed to a direct vent chimney and reduced to less than 28 feet in overall height.

PROJECT ANALYSIS

Existing Dwelling Floor Area/Layout

The 1,094 square foot residence consists of a living/dining room, kitchen, two bedrooms, one bathroom, and a two-car garage with interior dimensions of 18' 6" x 19' 6".

Proposed Modifications – Lower Floor

The proposed 599 square foot addition and remodel to the existing 1,094 square foot ground floor consists of:

- Removal of all interior walls and the right exterior wall and remodel/expansion of ground floor space
- New entry foyer
- New living/great room
- New kitchen
- New dining room
- New laundry room and pantry
- Stairs to upper floor
- Removal of existing garage
- New two car garage with interior dimensions of 20' x 21' with additional space for furnace and hot water heater

Proposed Upper Floor

The proposed 1,238 square foot upper floor consists of:

- Three bedrooms
- Two bathrooms
- Hallway with storage closets
- Stairwell

Dwelling Floor Area Summary		
Square Footage		Existing Layout/Proposed Additions
Existing First Floor:	1,094 sq. ft.	<u>Existing First Floor:</u> Living/dining room, kitchen, two bedrooms, one bathroom, 2-car garage.
New First Floor Expansion:	599 sq. ft.	<u>Modified First Floor:</u> Entry foyer, living/kitchen/dining great room, pantry, laundry room, wet bar, stairway to second floor, two-car 20'x21' garage.
New Second Floor:	1,238 sq. ft.	<u>Proposed Second Floor:</u> Three bedrooms, two bathrooms, hallway and storage closets, stairwell and open to below area.
Total	2,931 sq. ft.	

Exterior Materials/Colors

The proposed addition and remodeled existing house would have a stucco exterior finish with stucco stone façade accents on the ground floor and lower portion of the columns, and a composition shingle roof. The upper deck would have a wrought iron railing, and the front entrance would have stucco/stone columns. The front windows and arched attic vents would have wooden shutters. Other architectural design features include a wood front entrance door, wood garage doors, exterior lighting fixtures, and a side yard wooden gate.

The color palette consists of off-white exterior walls, natural stone color stucco stones, blue/gray trim and window/door treatments, and a slate blue composition shingle roof. The building colors and materials are illustrated on the attached sample sheet (See Attachment VI).

Landscaping and Groundwork

The subject property has a double wide driveway in the front center yard. The driveway has been revised twice from the original site plan reviewed by the City Arborist on April 6, 2006. The site plan reviewed by the Planning Commission on May 16th depicted a curved driveway with a side garage entrance that was effective in keeping Redwood Tree #1, but it added unnecessary hardscape. The current plans reflect the direction of the Planning Commission to maintain the entrance to the garage as a straight-in approach from the street. The driveway was significantly reduced in hardscape coverage (from 838 square feet to 425 square feet). However, the relocation of the driveway places new hardscape to within four feet of protected Redwood Tree #2 in the right front yard. Consultation with the City Arborist (see update of June 9, 2006, Attachment V) indicates that the paver surface, due to compaction beneath the pavers, would likely result in the decline and possible death of the tree over a period of years. Staff has revised the Conditions of Approval to require construction protection measures to attempt to maintain the health of both redwood trees and to provide for tree assessment at the end of the construction by the City Arborist to determine if a tree removal fee would be required due to indications of health decline in Redwood Tree #2.

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Although no mitigation trees are required, the proposed landscape plan includes 9 new 24" box trees (2 Japanese maple trees, 1 strawberry tree, 2 redbud trees, 2 olive trees, 1 white oak tree, 1 redwood tree), 147 shrubs (1 and 5 gallon), 20 flats of annuals and 10 flats of groundcover. The plan has an emphasis of drought resistant and native species with some ornamental varieties for color and aesthetic design.

The existing paved walkways, patios and decks would be removed. A combination of new flagstone with gravel and groundcover walkway elements are proposed for the side yards and east patio, as well as a new wooden deck in the rear yard. The overhanging upper floor creates a covered patio (outdoor room) with a gas (direct vent) fireplace and planters at the rear of the house. The existing planter bed retaining walls would be replaced with new rock walls approximately 2' to 3' high.

The proposed construction would occur on flat, already developed surfaces, and would require minimal grading.

PROJECT DATA

Criteria	Existing	Proposed	Required or Max. Allowed
Lot Size	8,000 sq. ft.	No Change	No Change
Slope	22%	No Change	No Change
FAR	0.137	0.366	0.437 (3,400 sq. ft. max)
Square Footage	1,094 sq. ft.	2,931 sq. ft.	3,500 sq. ft.
Parking	Two-car garage (18'6" x 19'6") Two uncovered	Two-car garage (20' x 21') Two uncovered	Two-car garage (20' x 20') Two uncovered
Setbacks:			
Front (south)	32'6"	25'	25' *
Right Side (east)	16'6"	6'	6'
Left Side (west)	14'6"	6'	6'
Rear (north)	69'	53'	15 ft.
Driveway length	32'6"	25'	18 ft.
Height	13'6"	27'4"	28 ft.

* Per the provisions of BZO Section 9.7.4(a), 7 houses were surveyed with setbacks ranging from 22' to 30' with an average of 25'. The project maintains a 25' front setback, meeting this requirement.

SINGLE FAMILY DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for the review of single-family residential projects (Section 13A.5 (A-H)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative.

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed expansion would substantially alter the existing single story residence in size and appearance. The proposed two-story house would have a stucco exterior with stone and wood accents that would complement the natural character of the lot and would be consistent in style and size with the established residential character of the immediate neighborhood. The existing residence is situated on a non-ridge, partially level lot with a steep up sloping rear yard, and the proposed addition would not disrupt any public views as assessed from San Juan Boulevard or from the homes situated above the house at the rear. Staff believes this finding can be made in the affirmative.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*
- (1) *building bulk*
 - (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
 - (3) *hardscape, and*
 - (4) *tree removal*

Building bulk

The proposed remodel includes maintaining a garage entrance facing the street to allow for a driveway with a straight-in approach to reduce paved surface coverage. The expanded lower level of the house remains single story at the front and increases to a second story at the rear of the house, providing articulated roof lines that step back and away from the front of the property. The overall massing is broken up with stone façade texture on the exterior walls, window and door treatments and exterior support columns. The proposed landscape plan provides a variety and reasonable quantity of shrubs and trees that also serve as screening elements and add to the texture/color of the overall site/building appearance.

Grading/Hardscape

The proposed construction would occur on a flat developed portion of the site and would require minimal grading. The proposed expansion includes a new second story which is effective in conserving open area. The rearmost portion of the lot would remain in its natural state with the enhancement of new trees and shrubs.

The revised site improvements (from plans presented at the May 16, 2006 Planning Commission meeting) are effective in reducing the overall hardscape to approximately 33% of the lot (existing hardscape is 35% and the 5-16-06 plans were 49%) and include:

- realignment of the driveway and reduction in width to required 17 feet to park two cars, new paver surface material
- flagstone/groundcover/gravel side yard walkways and east patio
- increase in front lawn area with pre-cut flagstone walkway to front entrance of house

Tree Removal

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Two protected redwood trees #1 and #2 and trees on the adjacent lot would be protected during construction as specified in the City Arborist Report.

The relocation of the driveway places new hardscape to within four feet of protected Redwood Tree #2 in the right front yard. Consultation with the City Arborist indicates that the paver surface, due to compaction beneath the pavers, would likely result in the decline and possible death of the tree over a period of years. Staff has revised the Conditions of Approval to require construction protection measure to attempt to maintain the health of both redwood trees and to provide for tree assessment at the end of the construction by the City Arborist to determine if a tree removal fee would be required due to indications of health decline in Redwood Tree #2.

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Although no mitigation trees are required, the proposed landscape plan includes a reasonable number of new trees. The plan emphasizes drought resistant and native species with some ornamental varieties for color and architectural design.

The revised plans show site improvements that effectively reduce the overall hardscape on the site. Staff believes that all four required factors (building bulk, grading, hardscape and tree

removal) have been appropriately balanced for the project. This finding can be made in the affirmative.

C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

The driveway is of adequate width, length and slope to provide a safe backup space and to park two cars. The pedestrian walkways are level and sufficiently surfaced to provide safe access to the house. Staff believes this finding can be made in the affirmative.

D. *All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

The proposed construction would occur on a portion of the lot that is level and already developed, and only minimal grading would be required for the proposed construction. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. Staff believes this finding can be made in the affirmative.

E. *All accessory and support features, including driveway and parking surfaces, under floor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

The placement of the covered patio beneath the upper level is well integrated into the overall site design and conserves hardscape. Although the proposed driveway would encroach to within four feet of protected Redwood Tree #2 in the right front yard, every effort would be made to protect the tree during construction as recommended by the City Arborist. The landscape plan includes sufficient trees to mitigate for tree replacement planting if required, and in the event that the health of the tree should decline due to construction activities, the Conditions of Approval require a fee to be assessed by the City Arborist. Staff believes the site improvement features are adequately integrated into the overall project design and this finding can be made in the affirmative.

F. *The landscape plan incorporates:*

- (1) *Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) *Appropriate landscape screening of accessory and support structures, and*
- (3) *Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Although no mitigation trees are required, the proposed landscape plan includes 9 new 24" box trees (2 Japanese maple tree, 1 strawberry tree, 2 redbud tree, 2 olive tree, 1 white oak tree, 1 redwood tree), 147 shrubs (1 and 5 gallon), 20 flats of annuals and 10 flats of groundcover. The plan emphasizes drought resistant and native species. Staff has included all tree protection and possible tree removal mitigation measures recommended in the City Arborist Report as conditions of project approval. Staff believes this finding can be made in the affirmative.

- G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.*

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

- H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.*

A temporary encroachment permit as administered and reviewed by the Public Works Department will be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. Staff believes this finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

The applicant has made effective modifications to address the concerns expressed by the Planning Commission at the May 16, 2006 public hearing. The plans have been modified to reduce hardscape, simplify the craftsman style of the house, and to reduce the height of the chimney.

Based on the analysis and required findings, staff recommends approval of the Single Family Design Review application with the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Deny the Single-Family Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. Resolution approving the Single Family Design Review
- II. Conditions of Approval
- III. Neighborhood Outreach Materials (Commission Only)
- IV. Planning Commission Staff Report & Meeting Minutes – May 16, 2006 (Commission only)
- V. Arborist Report dated April 8, 2006, and Arborist update of June 8, 2006 (Commission only)
- VI. Applicant's plans, materials board, and photos (Commission only)

CC: Applicant & Property Owner

PLEASE NOTE:

Attachments III through VI are not included as part of this document – please contact the Community Development Department at (650) 595-7417 for further information on the attachments.

RESOLUTION NO. 2006-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING SINGLE FAMILY DESIGN REVIEW
2852 SAN JUAN BOULEVARD (APPL. NO. 2006-0011)

WHEREAS, Akbar Shakernia, property owner, requests Single Family Design Review approval to construct a 1,837 square foot addition to an existing 1,094 square foot single family residence, resulting in a total of 2,931 square feet that is below the zoning district permitted 3,500 square feet for this site; and,

WHEREAS, public hearings were duly noticed, held on May 16, 2006 and June 20, 2006, and closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301, and,

WHEREAS, the Planning Commission hereby adopts the staff report dated June 20, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required Single Family Design Review Findings, Section 13A.5 (A-H), are made in the affirmative as follows:

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The proposed expansion would substantially alter the existing single story residence in size and appearance. The proposed two-story house would have a stucco exterior with stone and wood accents that would complement the natural character of the lot and would be consistent in style and size with the established residential character of the immediate neighborhood. The existing residence is situated on a non-ridge, partially level lot with a steep up sloping rear yard, and the proposed addition would not disrupt any public views as assessed from San Juan Boulevard or from the homes situated above the house at the rear. This finding is affirmed.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

The proposed remodel includes maintaining a garage entrance facing the street to allow for a driveway with a straight-in approach to reduce paved surface coverage. The expanded lower level of the house remains single story at the front and increases to a second story at the rear of the house, providing articulated roof lines that step back and away from the front of the property. The overall massing is broken up with stone façade texture on the exterior walls, window and door treatments and exterior support columns. The proposed landscape plan provides a variety

and reasonable quantity of shrubs and trees that also serve as screening elements and add to the texture/color of the overall site/building appearance.

Grading/Hardscape

The proposed construction would occur on a flat developed portion of the site and would require minimal grading. The proposed expansion includes a new second story which is effective in conserving open area. The rearmost portion of the lot would remain in its natural state with the enhancement of new trees and shrubs.

The revised site improvements (from plans presented at the May 16, 2006 Planning Commission meeting) are effective in reducing the overall hardscape to approximately 33% of the lot (existing hardscape is 35% and the 5-16-06 plans were 49%) and include:

- realignment of the driveway and reduction in width to required 17 feet to park two cars, new paver surface material
- flagstone/groundcover/gravel side yard walkways and east patio
- increase in front lawn area with pre-cut flagstone walkway to front entrance of house

Tree Removal

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Two protected redwood trees #1 and #2 and trees on the adjacent lot would be protected during construction as specified in the City Arborist Report.

The relocation of the driveway places new hardscape to within four feet of protected Redwood Tree #2 in the right front yard. Consultation with the City Arborist indicates that the paver surface, due to compaction beneath the pavers, would likely result in the decline and possible death of the tree over a period of years. Staff has revised the Conditions of Approval to require construction protection measure to attempt to maintain the health of both redwood trees and to provide for tree assessment at the end of the construction by the City Arborist to determine if a tree removal fee would be required due to indications of health decline in Redwood Tree #2.

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Although no mitigation trees are required, the proposed landscape plan includes a reasonable number of new trees. The plan emphasizes drought resistant and native species with some ornamental varieties for color and architectural design.

The revised plans show site improvements that effectively reduce the overall hardscape on the site from the plans previously reviewed on May 16, 2006. Staff believes that all four required factors (building bulk, grading, hardscape and tree removal) have been appropriately balanced for the project. This finding is affirmed.

- C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structure.*

PLANNING COMMISSION RESOLUTION

RE: 2852 San Juan Boulevard

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The driveway is of adequate width, length and slope to provide a safe backup space and to park two cars. The pedestrian walkways are level and sufficiently surfaced to provide safe access to the house. This finding is affirmed.

D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation. .

The proposed construction would occur on a portion of the lot that is level and already developed, and only minimal grading would be required for the proposed construction. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. This finding is affirmed.

E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.

The placement of the covered patio beneath the upper level is well integrated into the overall site design and conserves hardscape. Although the proposed driveway would encroach to within four feet of protected Redwood Tree #2 in the right front yard, every effort would be made to protect the tree during construction as recommended by the City Arborist. The landscape plan includes sufficient trees to mitigate for tree replacement planting if required, and in the event that the health of the tree should decline due to construction activities, the Conditions of Approval require a fee to be assessed by the City Arborist. Staff believes the site improvement features are adequately integrated into the overall project design. This finding is affirmed.

F. The landscape plan incorporates:

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site contains two non-protected trees (#3 and #4) that would be removed for the proposed construction. Although no mitigation trees are required, the proposed landscape plan includes 9 new 24" box trees (2 Japanese maple tree, 1 strawberry tree, 2 redbud tree, 2 olive tree, 1 white oak tree, 1 redwood tree), 147 shrubs (1 and 5 gallon), 20 flats of annuals and 10 flats of groundcover. The plan emphasizes drought resistant and native species. Staff has included all tree protection and possible tree removal mitigation measures recommended in the City Arborist Report as conditions of project approval. This finding is affirmed.

G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards. .

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All

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construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

A temporary encroachment permit as administered and reviewed by the Public Works Department will be required for work within the public right of way. The Public Works Department has not identified any issues with the proposed improvements within the right-of-way. This finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Single Family Design Review to construct a 1,837 square foot addition to an existing 1,094 square foot single family residence, resulting in a total of 2,931 square feet, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on June 20, 2006 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL SINGLE FAMILY DESIGN REVIEW 2852 SAN JUAN BOULEVARD (APPL. NO.2006-0011)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0015 and date-stamped June 12, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
6. The applicant shall secure a tree removal permit for proposed tree removal prior to any grading or tree removal operations. The applicant shall pay all applicable fees (\$500 for

Tree #3 and \$500 for Tree #4 per City Arborist Report dated April 8, 2006, and a possible additional fee of \$3,000 for the health decline Tree #2 per the City Arborist update of June 9, 2006). The applicant shall schedule an appointment for a site inspection by calling City Arborist, Walter Levison at 650-697-0990.

7. The applicant shall review the engineering feasibility of installing the baserock foundation of the paver driveway surface to be placed over a biaxial geogrid layer that is placed on existing soil grade and limited in compaction to approximately 88% maximum. If such compaction meets engineering standards, all associated project plans shall be revised to implement a biaxial geogrid layer installation for the driveway area. Revised plans shall be approved by the Planning Department and the City Arborist.
8. Prior to issuing a permit for grubbing, demolition, grading, or construction, the following shall occur:
 - a. **STONES:** Remove all stones from around Redwood #2 before erecting tree protection around the tree.
 - b. **FERTILIZATION:** Applicant shall hire a qualified tree care company to soil inject a single application of high quality balanced slow release tree fertilizer (ex. Doggett 32-7-7 Injecto-Feed with humates and zeolites) within the canopy driplines of redwood #1 and #2 before tree protection fencing, wood chip mulching, and silt fencing are installed. Applicant shall provide City Arborist with a receipt verifying that this fertilization has been performed.
 - c. **WOOD CHIPS:** Acquire a free load of wood chips (not bark chips or leaf chips) from a tree care company and lay a 5 inch thick layer over the area from the trunk of redwood #1 and #2 out to the TPZ chain link fence line. Pull chips out approximately 12 inches away from the trunk so that moisture will not build up on the trunk.
 - d. **TREE PROTECTION FENCING:** Chain link fencing must be erected as per the scanned tree map included in the City Arborist Report at approximately 9-10 feet south and north and 1 foot west of the trunk edge of redwood #2, and at 8 feet west of the trunk edge and on the left side of the driveway to protect redwood #1. The areas between the tree trunks and this fence perimeter shall be known as the root protection zone or tree protection zone (RPZ or TPZ).
 - e. Fencing material used for all protective fences must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no farther than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.
 - f. Compliance inspections will occur (1) at the time of fence erection and buffer installation, (2) during construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has been received a final signoff letter from the city arborist. Permit approval will not occur until after the first inspection has been performed and the protection measures approved by the City Arborist.

- g. The protective fencing must not be temporarily moved during construction, unless as noted in this section. No materials, excavated soil, liquids, or substances are to be placed or dumped, even temporarily, inside the RPZs/TPZs.
- h. The TPZ fencing shall have one sign affixed at eye level on each of the tree sides of fencing, minimum 8X11” size, plastic laminated or otherwise waterproofed, stating:

<p>TREE PROTECTION FENCE DO NOT ALTER OR REMOVE CALL CITY ARBORIST 48-HRS ADVANCE (650) 698-0990</p>
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- i. SILT FENCING: Install TENAX brand or 36-inch high silt fencing with built-in wooden stakes to the east side of the TPZ fencing perimeter. Install as per package instructions, digging in the entire lower edge of the silt fence so that it is secure. Affix the upper edge of the silt fence material to the chain link fence using UV-resistant zipties and/or wires approximately every 3 linear feet.
- j. IRRIGATION: Allow the existing turf grass irrigation around redwood #2 to remain active and providing supplemental irrigation water to the tree throughout demolition, grading, and construction without a break in the water cycle. If the existing system is to be severed and cannot be run, then install a rubber soaker hose over the TPZ wood chips, snaking around the inside of the TPZ chain link fencing around redwoods #1 and #2. Affix the soaker hose to a garden hose and active hose bib. Turn on the system at full pressure for a single period of at least 6 – 8 hours, once every two weeks, beginning at the excavation/grading period until the first significant rains of winter. This irrigation shall be monitored by the contract City Arborist and adjusted according to soil moisture reading obtained by using a Lincoln Soil Moisture Probe.
- k. Alternatively, the applicant can utilize a water truck to supply 100 – 200 gallons of water per tree on a single day, twice a month, to redwoods # 1 and #2 or as directed by the City Arborist during regular monthly construction monitoring days (rate of irrigation to be determined during site development using a Lincoln Soil Moisture Probe). Contractor shall verify use of irrigation water by documenting in a written journal the time and date of each irrigation event, and the duration that water was applied.
- l. ARBORIST INSPECTION FEE: The applicant shall pay a tree inspection fee of \$1,300 payable to the City of Belmont at the Permit Center desk prior to permit issuance to cover inspections and signoff letters by the City Arborist throughout the life of the project.
- m. DEMOLITION PHASING: The applicant shall phase demolition of the existing driveway/hardscape just west of redwood #2 chain link TPZ to the very end of the project so that the existing driveway area can be used as a staging zone throughout the project without endangering the tree’s root system.
- n. REDESIGNS AND DESIGN ISSUES:

- The irrigation plan and planting plan shall be available for review and alterations by the City Arborist before final submittal of the plan set. If irrigation lines are to be newly installed inside the redwood #1 or #2 TPZ, then the routes of these lines shall be determined (or eliminated) as per the City Arborist to allow for maximum root retention in the RPZ subgrade. Utilize only over-grade drip emitter line or poly tubing with bubblers within the driplines of all site trees to remain (dripline diameters as currently noted on tree map scan) instead of subgrade PVC piping.
- All downspout drains, French drains, utility lines, storm drains, landscape electrical wire conduits, and any other items requiring trenching shall be routed to outside the dripline of redwoods #1 and #2.

o. PRUNING:

- All pruning shall be performed only by or under direct supervision of an ISA-certified arborist and shall conform to specifications described in the ANSI-A300 “standards for tree care operations”.
- Oak #5 shall be pruned to the minimum extent possible in order to clear an air space adjacent to the proposed roofline that will allow construction to proceed (i.e. prune no more than 3 linear feet of live wood and foliage out from the eastmost portion of the upper canopy). See next item concerning permission.
- Neighbor’s redwoods shall be pruned by removing no more than a total of 3 to 5 separate branches on the trees just left of the proposed driveway. Branches shall be pruned by an ISA certified arborist back to their points of attachment on the main trunk. Note: It is suggested that the applicant contact the neighbor (owner of the treess) to discuss this required pruning before performing any pruning activity on the neighbor’s trees, and acquire formal permission to do so. The City Arborist will require the owner to present a receipt for pruning work at any time to verify that work on the neighbor’s oak and redwoods was performed by, or under direct supervision of an ISA certified arborist.

p. TREE REMOVAL:

- Liquidambar #3 and Italian cypress #4 to be removed shall require pre-payment of a \$500 fee each to be paid to the City of Belmont Permit Center, which shall be deposited to the Parks Department tree planting and establishment fund by planning or building staff before grading and/or building permits are issued. Additionally, Redwood Tree #2 may require a tree removal fee of \$3,000 in the event of decline in health due to construction activities which shall be determined by the City Arborist at the end of construction on the site.

q. ROOT SEVERING:

- If woody roots emanating from redwood #1 or #2, measuring greater than 1 inch in diameter are encountered during any site activity, the roots shall be immediately (same day) severed using an A/C sawzall, professional pruning saw, lopper, chain saw, or electrician’s cable cutter. Call the City Arborist

immediately at (650) 697-0990 to arrange a root inspection and digital photograph documentation.

- Roots shall be cut at right angles to the root growth direction, cutting cleanly and carefully all the way back to the soil face without shattering the root tissue behind the soil face.
- Roots shall be backfilled within 48 hours using parent soil, and thoroughly irrigated.
- If backfilling is delayed past 48 hours, then contractors shall wrap exposed roots in three layers of soaking wet, muddy burlap.

Building Division

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
1. Obtain all required permits.
 2. The height of the residence shall not exceed 28 feet.
 3. Provide separate demolition, existing and proposed floor plans.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
1. Plans shall conform with approved project plans.
 2. Building materials and color scheme shall be shown on plans.
 3. Provide tree protection.
 4. The construction activities shall comply with the City Noise Ordinance, and the applicant shall post hours of operation and phone numbers for noise complaints.
 5. Provide space for recycling containers.
 6. Provide a list of construction and demolition recycling service providers.
 7. Require contractors and subcontractors to make good faith effort to contact construction and demolition recycling providers.

8. Notify all contractors and subcontractors of Belmont expectations of maximizing diversion of solid waste.
9. Investigate opportunities for salvaging material for reuse.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs of preconstruction condition are advised.
 2. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
 1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
 2. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
 3. The owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site.
 - a. The applicant should note that if the proposed grading meets one or more of the criteria outlined in Section 9-23 of the City Code, a Planning Commission review will be required. Caution: If the total grading quantity changes after Planning Commission approval, a new grading approval may be required. The applicant may choose to complete the grading plan and calculations early in the planning process to limit delays in scheduling this review. (See Section 9-28 of City Code for review process). The plan shall incorporate the following restrictions:

- b. All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.
 - c. During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.
 - d. Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.
 - e. Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.
4. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
- a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
 - c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
 - d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
 - e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

1. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
4. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These include, but are not limited to, the following:
 - a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i. Limit construction access routes and stabilize designated access points.
 - j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.

5. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.
6. No storage shall be allowed on City right-of-way. Applicant shall utilize front, side, or backyard for storage and staging. Haul route is limited to the use of 10 wheelers.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

Carlos de Melo, Director of Community Development

Date